HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

WRIT APPEAL No.42 of 2007

Between:

P.H.V.S. Talpa Sai & another

… Appellants

AND

Authorised Officer,
Central bank of India,
Khairatabad Branch, Hyderabad
& another.

… Respondents

: JUDGMENT :

Counsel for the Appellants : Shri G.L.Nageshwar Rao

Counsel for respondent No.1 : Shri V.V.Anil Kumar

Dated: 19th January 2007

PER G.S.SINGHVI, CJ

This appeal is directed against order dated 13-12-2006 passed by the learned Single Judge in Writ Petition No.17165 of 2006 whereby she dismissed the writ petition filed by the appellant against the proceedings initiated by the Central Bank of India under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short "the 2002 Act").

At the commencement of hearing, Sri G.L.Nageshwar Rao, learned counsel for the appellants made a request that his client may be permitted to withdraw the appeal along with writ petition No.17165 of 2006 and liberty may be given to them to statutory remedy by filing application under Section 17(1) of the 2002 Act.

Sri V.V. Anil Kumar, learned counsel for the bank says that he does not have any objection.

In view of the above, the request of the learned counsel is accepted and this appeal is dismissed along with writ petition No.17165 of 2006 and liberty is given to the appellants to avail the remedy by filing application under Section 17(1) of the 2002 Act.

As a sequel to dismissal of the appeal, W.A.M.P.No.62 of 2007 filed by the appellants for interim relief is also dismissed.

G.S.SINGHVI, CJ

C.V.NAGARJUNA REDDY, J

Dated: 19th January 2007.
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